IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.7353 of 2008
SHAFI AHMAD HENA & ORS
Versus
STATE OF BIHAR
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3 15.07.2008 Heard the learned counsels for the petitioners and the State.

Petitioners are apprehending their arrest in Complaint Case No. 1402 of 2007 for the offences alleged to have been committed under section 406/420 of the Indian Penal Code and section 3 of the Dowry Prohibition Act.

It has been submitted on behalf of the petitioners that on perusal of the first information report it would appear that the alleged amount was never as a consideration for marriage. As a matter of fact it is the complainant who is unduly pressurizing the petitioner no.2 and other family members for marrying his daughter with the petitioner no.1 and for some reason or the other petitioner no.1 is not prepared to marry the daughter of the complainant. It is further submitted that the allegation of parting with the one lakh rupees is absolutely incorrect, in fact, the petitioner has lodged a complaint Case No. 12/08 on account of unduly pressurizing the petitioner no.2 for marrying his son. Therefore, the allegation of committing cheating or breach of trust does not arise.

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Considering the submissions as noticed above and on perusal of the first information report as well as the averments made in the petition as also the materials brought on record, it is directed that in the event of arrest or surrender within a period of four weeks, the petitioners namely, Shafi Ahmad Hena, Abdul Qaiyum @ Abdul Kayum, Wasim Ahmad @ Md. Wasim, Asif Ahmad @ Md. Asif & Arzumand Ara @

Arjuman Ara be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 1402 of 2007 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

Manish/- **(Shailesh Kumar Sinha,J.)**

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